

CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George et al.

Attorney Docket No: BIOL0123

Serial No: 10/593,016

Group Art Unit: 2624

Filed: September 14, 2006

Examiner: Heidemann, Jason E.

Confirmation No: 5733

Title: METHOD FOR IMAGING AND DIFFERENTIAL ANALYSIS OF CELLS

DECLARATION UNDER 37 C.F.R. 1.132

Bellevue, Washington 98004

April 29, 2011

TO THE DIRECTOR OF THE PATENT AND TRADEMARK OFFICE:

This declaration is made by **David Basiji** and **William Ortyn**, under 37 C.F.R. 1.132, with respect to U.S. Patent Publication 2004/0021868, which has been cited by the Examiner as prior art against the pending application. David Basiji and William Ortyn do hereby unequivocally state that they are the same inventors named in U.S. Patent Publication 2004/0021868 and that U.S. Patent Publication 2004/0021868 is their own disclosure, which was published less than 1 year before the filing date of the provisional application (60/553,502) from which the pending application claims priority.

We do hereby further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: April 29, 2011

David Basiji

Date: April 29, 2011

William Ortyn